

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 05-40025-FDS
NYDIA SHARAIL BERNABEL and)	
MATTHEW MARSH,)	
Defendants,)	
_____)	

STATUS REPORT
November 18, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

The Government has completed its obligation for automatic discovery and counsel for the Defendants have now requested additional time to determine whether or not further discovery should be requested from the Government. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on November 29, 2005, at 9:30 a.m., in Courtroom 1, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and with the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from November 9, 2005 (date of expiration of prior order of excludable time) through November 29, 2005 (date by which the counsel for the Defendants will have determined whether or not further discovery will be requested from the Government). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Tuesday, February 7, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE